

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & ZONING VARIANCE * ZONING COMMISSIONER
S/S Eastern Blvd. 297 ft. E of *
c/i Lynnbrook Road * OF BALTIMORE COUNTY
2929 Eastern Boulevard *
15th Election District * Case No. 94-121-SPHXA
Legal Owner: Clarence A. Cox *
Lessee: Penn Advertising *
Petitioner *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Variance for the property located at 2929 Eastern Boulevard. The Petition is filed by Clarence A. Cox, Trustee, property owner and Penn Advertising of Baltimore, Inc., Lessee. Within the Petition for Special Exception, approval is sought for 1 illuminated 12 ft. x 25 ft. outdoor advertising sign. Within the Petition for Zoning Variance, relief is requested from Section 413.3(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an outdoor advertising sign 31 ft. from the right of way of a dual highway in lieu of the required 100 ft. Within the Petition for Special Hearing, an amendment is requested from the Order and approved special exception site plan filed within case No. 82-248-SPHA.

Appearing at the requisite public hearing held for this case was Donna Hayward Lorber, Real Estate Manager for Penn Advertising. The Petitioner was represented by Fred Lauer, Esquire. There were no interested persons or other parties present.

Testimony and evidence presented at the hearing was that the subject site is located adjacent to the intersection of Eastern Boulevard and Lynnbrook Road in eastern Baltimore County. The property is not far from the Martin State Airport. The site is approximately 2.66 net acres in area and is zoned B.L. Presently, it is used to house a service station and

carwash business. The Petitioner proposes to construct an outdoor advertising sign containing 300 sq. ft. of face area on the northeast corner of the site. The proposed sign, which will be 12 ft. x 25 ft., will be illuminated and supported by a 13 ft. high steel post. The proposed sign and subject property is more particularly shown on Petitioner's Exhibit No. 2, the site plan submitted.

As noted above, only Mrs. Lorber and Penn Advertising's counsel appeared at the public hearing. She discussed extensively the subject property, surrounding locale and proposed sign. She also addressed the requirements contained within Sections 413 and 502.1 of the B.C.Z.R. Clearly, this is largely a commercial area along a major thoroughfare. Moreover, the proposed sign appears entirely consistent with other uses in this locale. Even the Office of Planning and Zoning, within their Zoning Plans Advisory Committee comment, stated that "It appears that the proposed sign on the subject property would not negatively impact adjacent land uses."

Outdoor advertising signs are permitted by special exception in a B.L. zone. The Petitioner must adduce testimony that the standards set forth in Sections 413 and 502.1 have been met. In this case, based upon the uncontradicted testimony, I am persuaded that the Petitioner has met this burden. There is no evidence in the record to indicate that the proposed sign would have any detrimental effect on the surrounding locale. To the contrary, the proposed use appears entirely consistent with the use of its property and the neighborhood. Thus, the Petition for Special Exception shall be granted.

As to the Petition for Special Hearing, same is needed to amend the site plan and Order issued in a prior case; namely, 82-248-SPHA. That prior case does not bear on the issue presented in the instant case. That is, the

prior case involved the present carwash use and did not relate to signage. Thus, the Petition for Special Hearing in this case shall be granted, in that the proposed sign will not adversely affect the existing businesses.

Lastly, a variance is requested to permit the sign to be located 31 ft. from the right of way of a dual highway in lieu of the required 100 ft. As shown within the notes on the site plan, the 31 ft. distance was derived by computing the average setbacks of adjacent buildings. Mrs. Lorber testified that the sign must infringe within the 100 ft. setback so as to be visible to motorists on Eastern Boulevard. Moreover, locating the sign towards the front property line would place additional distance between same and the residences to the rear of the site. For all of these reasons, I am persuaded that the Petitioner has met the burdens established in Section 307.1 of the B.C.Z.R. Therefore, the Petition for Zoning Variance shall, likewise, be granted.

This property lies within close proximity to the Chesapeake Bay and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management must submit recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact

that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations have not, as yet, been submitted, as noted in the Zoning Plans Advisory Committee comments from the Department of Environmental Protection and Resource Management (D.E.P.R.M.) dated October 5, 1993. (copy attached hereto). When D.E.P.R.M.'s final comments are completed, they shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 11th day of November, 1993, that, pursuant to the Petition for Special Exception, approval for 1 illuminated 12 ft. x 25 ft. outdoor advertising sign, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 413.3(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an outdoor advertising sign 31 ft. from the right of way of a dual highway in lieu of the required 100 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, an amendment from the Order and approved special exception site plan filed within case No. 82-248-SPHA, be and is hereby GRANTED, subject,

ORDER RECEIVED FOR FILING
Date 11/4/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/4/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/4/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/4/93
By [Signature]

however to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for its building permit and be granted same upon receipt of this Order, however, Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 11/4/93
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 4, 1993

Fred Lauer, Esquire
3001 Remington Avenue
Baltimore, Maryland 21211

RE: Case No. 94-121-SPHXA
Petitions for Special Exception, Special Hearing and Variance
Legal Owner: Clarence A. Cox, Lessee: Penn Advertising
Property: 2929 Eastern Boulevard

Dear Mr. Lauer:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception, Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:amm
encl.
cc: Mrs. Donna Lorber

Petition for Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at 2929 Eastern Boulevard

94-121-SPHXA which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve.

AN AMENDMENT TO THE APPROVED SPECIAL EXCEPTION PLAN PER CASE # 82-248 SPHA

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser's name:

Penn Advertising/Donna Hayward Lorber

(Type or Print Name)

[Signature]

3001 Remington Avenue

Baltimore, MD 21211

City State Zip

Attorney for Petitioner:

Fred Lauer

(Type or Print Name)

[Signature]

3001 Remington Avenue 410-235-8820

Towson, MD 21204

Baltimore, MD 21211

City State Zip

Who do I submit this and where, under the provisions of law, that I am the legal owner(s) of the property which is the subject of this Petition?

Legal Owner(s)

Clarence A. Cox

(Type or Print Name)

[Signature]

3001 Remington Avenue

Baltimore, MD 21211

City State Zip

Address and phone number of legal owner, contract purchaser or representative to be contacted:

528 Eastern Blvd

Baltimore, MD 21221

City State Zip

William Monk, Inc.

222 Bosley Ave. Suite B-7 494-8931

Towson, MD 21204

Baltimore, MD 21211

City State Zip

ESTIMATED LENGTH OF HEARING

the following date: 1 hr.

ALL INFORMATION TO BE SUBMITTED BY DATE 11/4/93

CRITICAL #113

Petition for Special Exception
to the Zoning Commissioner of Baltimore County

for the property located at 2929 Eastern Boulevard

94-121-SPHXA which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

One (1) illuminated 12' x 25' sign structure

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser's name:

Penn Advertising of Baltimore, Inc.

(Type or Print Name)

[Signature]

3001 Remington Avenue

Baltimore, Maryland 21211

City State Zip

Attorney for Petitioner:

Fred M. Lauer, esq.

(Type or Print Name)

[Signature]

3001 Remington Avenue 235-8820

Baltimore, Maryland 21211

City State Zip

Who do I submit this and where, under the provisions of law, that I am the legal owner(s) of the property which is the subject of this Petition?

Legal Owner(s)

Clarence Cox

(Type or Print Name)

[Signature]

3001 Remington Avenue

Baltimore, Maryland 21211

City State Zip

Address and phone number of legal owner, contract purchaser or representative to be contacted:

528 Eastern Boulevard

Baltimore, Maryland 21221

City State Zip

William Monk, Inc.

222 Bosley Ave. Suite B-7 494-8931

Towson, MD 21204

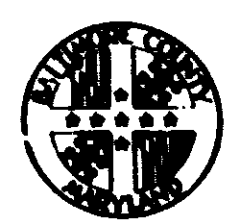
Baltimore, MD 21211

City State Zip

ESTIMATED LENGTH OF HEARING

the following date: 1 hr.

ALL INFORMATION TO BE SUBMITTED BY DATE 11/4/93



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2929 Eastern Boulevard

94-121-SPHXA

which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

413.36

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

To allow an outdoor advertising sign 31' from the right-of-way of a dual highway in lieu of the required 100'.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact: LESSOR:

Penn Advertising of Baltimore, Inc.

(Type or Print Name)

3001 Remington Avenue

Baltimore, Maryland 21211

City State Zip Code

Attorney for Petitioner

Fred M. Lauer, Esq.

(Type or Print Name)

3001 Remington Avenue

Baltimore, Maryland 21211

City State Zip Code

I/We do solemnly swear and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Clarence Cox

(Type or Print Name)

Clarence Cox, Trustee

(Type or Print Name)

528 Eastern Boulevard

Baltimore, Maryland 21221

City State Zip Code

Name Address and phone number (if representative, do not contact)

528 Eastern Boulevard

Baltimore, Maryland 21221

City State Zip Code

Name Address and phone number (if representative, do not contact)

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528 Eastern Boulevard

Baltimore, Maryland 21221

City State Zip Code

94-121-SPHXA

ZONING DESCRIPTION
PENN ADVERTISING
EASTERN BOULEVARD & LYNNBROOK ROAD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT DISTANT 297 FEET MORE OR LESS EASTERLY FROM THE CENTERLINE OF LYNNBROOK ROAD ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF EASTERN BOULEVARD 100 FEET WIDE AND 27 FEET MORE OR LESS SOUTHEASTERLY FROM SAID RIGHT-OF-WAY LINE; THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES:
NORTH 86 DEGREES 52 MINUTES 00 SECONDS EAST 15 FEET;
SOUTH 03 DEGREES 08 MINUTES 00 SECONDS EAST 30 FEET;
SOUTH 86 DEGREES 52 MINUTES 00 SECONDS WEST 15 FEET;
NORTH 03 DEGREES 08 MINUTES 00 SECONDS WEST 30 FEET
TO THE POINT OF BEGINNING.

CONTAINING 450 SQUARE FEET OF LAND MORE OR LESS.

DESCR\PENNADV2.ZON



113

90-10-03 20-14 FROM: COLBERT ENGINEERING

ID:

PAGE 1

94-121-SPHXA

ZONING DESCRIPTION
PENN ADVERTISING
EASTERN BOULEVARD & LYNNBROOK ROAD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT ON THE SOUTHERN SIDE OF EASTERN BOULEVARD, 100 FEET WIDE, 65 FEET MORE OR LESS FROM THE CENTERLINE OF LYNNBROOK ROAD; THENCE RUNNING WITH SAID RIGHT-OF-WAY LINE BY A CURVE TO THE LEFT HAVING A RADIUS OF 1220.92 FEET, A LENGTH OF 215.03 FEET; THENCE NORTH 66 DEGREES 39 MINUTES 40 SECONDS EAST 85.30 FEET; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING THE FOLLOWING COURSES AND DISTANCES:
SOUTH 25 DEGREES 20 MINUTES 20 SECONDS EAST 17.00 FEET;
NORTH 64 DEGREES 39 MINUTES 40 SECONDS EAST 22.50 FEET;
SOUTH 14 DEGREES 29 MINUTES 10 SECONDS EAST 279.80 FEET;
SOUTH 02 DEGREES 58 MINUTES 20 SECONDS EAST 97.00 FEET;
NORTH 89 DEGREES 38 MINUTES 00 SECONDS WEST 370.75 FEET TO THE CENTERLINE OF LYNNBROOK ROAD; THENCE BINDING ON SAID CENTERLINE NORTH 22 DEGREES 32 MINUTES 30 SECONDS WEST 80.00 FEET; THENCE NORTH 13 DEGREES 43 MINUTES 05 SECONDS WEST 137.68 FEET; THENCE LEAVING SAID CENTERLINE AND RUNNING NORTH 79 DEGREES 34 MINUTES 30 SECONDS EAST 15.80 FEET; THENCE NORTH 29 DEGREES 15 MINUTES 07 SECONDS EAST 69.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.66 ACRES OF LAND MORE OR LESS.

DESCR\PENNADV1.ZON



113

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 11/12/93
Posted for: Special Hearing - 94-121-SPHXA - Penn Advertising
Petitioner: Clarence Cox, Trustee
Location of property: 2929 Eastern Blvd., 5th Election Dist., 15th Election Dist.

Location of Sign: Penn Advertising, 3001 Remington Ave., Baltimore, MD

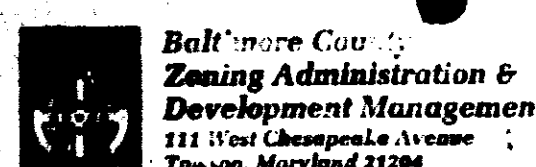
Remarks:
Posted by: [Signature] Date of return: 11/12/93
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ... successive weeks, the first publication appearing on ...

THE JEFFERSONIAN,
LEGAL AD. - TOWSON



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-4180

Number:

9/8/93 94-121-SPHXA Item Number: 113
Penn Advertising - 2929 Eastern Blvd
#020-Variance - \$250.00
#040-Sp Hearing - \$250.00
#080-2 signs - \$35.00
Total \$570.00

ACCOUNTS RECEIVABLE \$570.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 113

Petitioner: Penn Advertising of Baltco, Inc.

Location: 2929 Eastern Blvd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Penn Advertising of Baltco, Inc.

ADDRESS: 3001 Remington Ave

Baltimore, MD 21211

PHONE NUMBER: 235-8820

AJ:ggg

(Revised 04/09/93)

TO: POTTERY PUBLISHING COMPANY

September 30, 1993 Issue - Jeffersonian

Please forward billing to:

Penn Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211
410-235-8820

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-121-SPHXA (Item 113)
2929 Eastern Boulevard
S/S Eastern Boulevard, 297 E of c/l Lynnbrook Road
15th Election District - 5th Councilmanic
Legal Owner(s): Clarence A. Cox
Contract Purchaser: Penn Advertising
HEARING: MONDAY, NOVEMBER 1, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve an amendment to the approved special exception plus per case 94-240-SPH. Special Exception for one illuminated 12-foot by 25-foot sign structure (outdoor advertising sign). Variance to allow an outdoor advertising sign 31 feet from the right-of-way of a dual highway in lieu of the required 100 feet.

LAMARCA E. SCHWEP
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

COPY

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

SEP. 23 1993

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-121-SPHXA (Item 113)
2929 Eastern Boulevard
S/S Eastern Boulevard, 297 E of c/l Lynnbrook Road
15th Election District - 5th Councilmanic
Legal Owner(s): Clarence A. Cox
Contract Purchaser: Penn Advertising
HEARING: MONDAY, NOVEMBER 1, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve an amendment to the approved special exception plus per case 94-240-SPH. Special Exception for one illuminated 12-foot by 25-foot sign structure (outdoor advertising sign). Variance to allow an outdoor advertising sign 31 feet from the right-of-way of a dual highway in lieu of the required 100 feet.

[Signature]
Arnold Jablon
Director

cc: Clarence A. Cox
Penn Advertising/Fred Lauer, Esq.
William Monk, Inc.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 22, 1993

Fred Lauer, Esquire
4001 Remington Avenue
Baltimore, Maryland 21211

RE: Case No. 94-121-SPHA, Item No. 113
Petitioner: Clarence A. Cox, et al
Petition for Special Hearing

Dear Mr. Lauer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 16, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

9-22-93

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: *BA 712 (C)*
Item No.: *#113 (MJK)*

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Robert Small*
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: October 5, 1993

SUBJECT: 2929 Eastern Boulevard

INFORMATION:

Item Number: 113

Petitioner: Clarence A. Cox

Property Size: _____

Zoning: B.L.

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The petitioner requests a special exception for an illuminated 12'x25' outdoor advertising sign, a variance to allow the sign to be 31' from the right-of-way of a dual highway in lieu of the required 100', and a special hearing to amend the previously approved special exception (Case No. 82-248 SPHA).

Staff believes the control of outdoor advertising signs is essential in protecting the health, safety and welfare of the citizens of Baltimore County. In certain locations, the unique scale and design of outdoor advertising signs clearly compromises public safety and, in particular, traffic safety since these signs are distracting.

Based upon a review of the subject property, it appears the proposed sign of the subject property would not negatively impact adjacent land uses.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. King*

PK/JL:lw

7AC-113/DPNNE/7AC1

Pg. 1

October 5, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilsbury
Development Coordinator, DEPRM

SUBJECT: Zoning Item #113 - Cox Property
2929 Eastern Boulevard
Zoning Advisory Committee Meeting of September 27, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Section at 887-3980 for details.

The stream along the eastern property line must be surveyed and accurately shown on a revised plan. The proposed sign must be a minimum of 100 feet from the stream.

JLP:GS:sp

COX/DEPRM/TXTSBP

111 West Chesapeake Avenue
Towson, MD 21204

SEPTEMBER 28, 1993

(410) 887-3610

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

ZONING AGENDA - MEETING OF SEPTEMBER 27, 1993

RE: Property Owner: Clarence Cox
Location: #2929 Eastern Boulevard
Item No.: #113(MJK)
No Comments.

RE: Property Owner: Jacqueline Lois LeConte
Location: #3 St. Timothy's Lane
Item No.: #118 (RT)
1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
Sprinklers shall be installed in accordance with MD State Code, State Bill #658.

RE: Property Owner: Eva M. Nolan & Nicholas J. Nolan
Location: #4342 Penn Avenue
Item No.: #119 (RT)
No Comments.

RE: Property Owner: Dorothy M. Beaman
Location: #1402 Edmondson Avenue
Item No.: #120 (JCM)
No Comments.

RE: Property Owner: Melvin Gladney and Parmie Gladney
Location: #6734 Dogwood Road
Item No.: #121 (JCM)
No Comments.

RE: Property Owner: Sandra Andrejak
Location: NE/S Stemmers Run Road & #613 (Norris Lane - Kenwood's)
Item No.: #122 (WCR) & #123 (WCR)
No Comments.

RE: Property Owner: William Hirschfeld and Loretta Hirschfeld
Location: #15 Merry Hill Court
Item No.: #124 (JLL)
No Comments.

- RE: Property Owner: Harry Lichtman
Location: #2708 #16 Old North Point Boulevard
Item No.: #125 (MJK)
No Comments.
- RE: Property Owner: Lawrence Walter Krastel and Jane Cecelia Krastel
Location: #13014 Gent Road
Item No.: #126 (JLL)
No Comments.
- RE: Property Owner: Lorenz P. Nowack and Helen J. Nowack
Location: #13 Prettyboy Garth
Item No.: #127 (JRP)
No Comments.
- RE: Property Owner: Denise Gulino & Robert Gulino
Location: #9544 Hickory Falls Way
Item No.: #128 (JRP)
No Comments.
- RE: Property Owner: W. Curtis Russell and Sarah B. Russell
Location: #333 West Seminary Avenue
Item No.: #129 (JJS)
No Comments.

Pursuant to your request, the referenced properties have been surveyed by this Bureau and the comments above are applicable and required to be corrected or incorporated into the final plans for the property.

Reviewed By: *RPS/keh*
Fire Prevention Bureau
Robert P. Sauerwald (988)

RPS/keh

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-SHEET

NAME
Donna L. Linder

ADDRESS
2018 Heathfield Rd. Bowie, MD 20712

WILLIAM MONK, INC.
PLANNING, LANDSCAPE DESIGN
ENVIRONMENTAL, RESOURCE MANAGEMENT
COURTHOUSE COMMONS
222 BOSLEY AVENUE, SUITE B-7
TOWSON, MD 21204
(410) 494-8931





— PROPOSED 12' x 25' SIGN LOCATION
2329 EASTERN BOULEVARD —

PETITIONER'S
EXHIBIT 1A



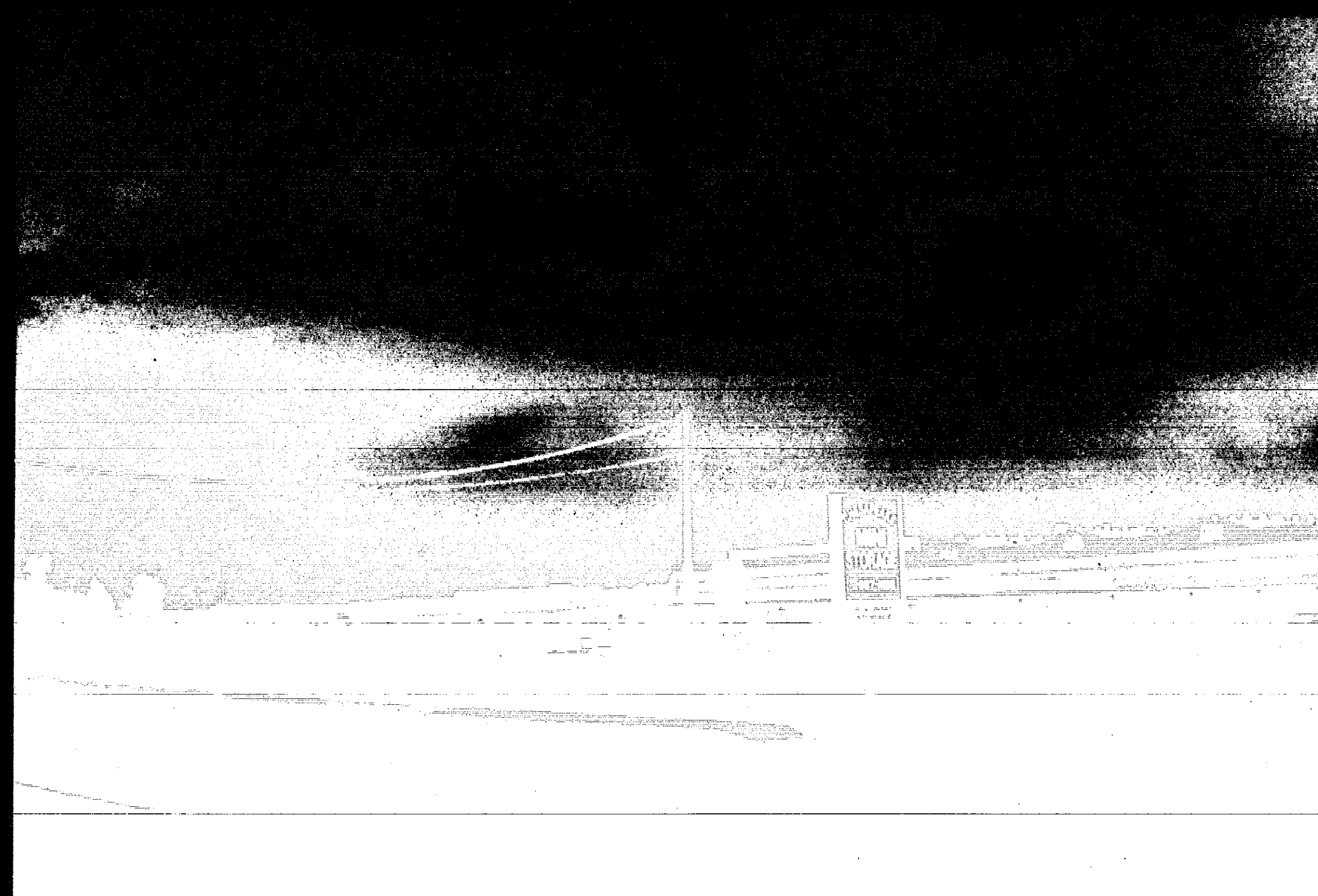
— PROPERTY WEST OF PROPOSED SIGN
LOCATION —

PETITIONER'S
EXHIBIT _____



— PROPERTY ACROSS THE STREET FROM
PROPOSED SIGN LOCATION —

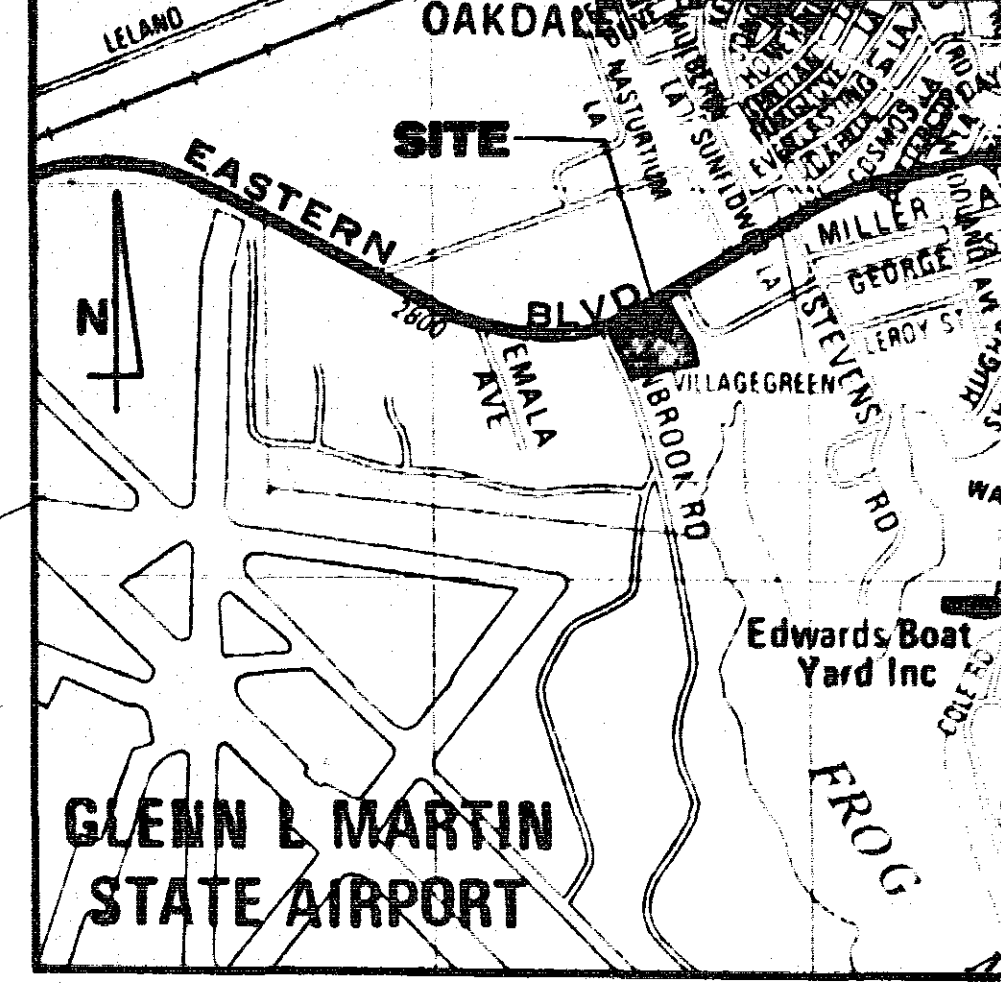
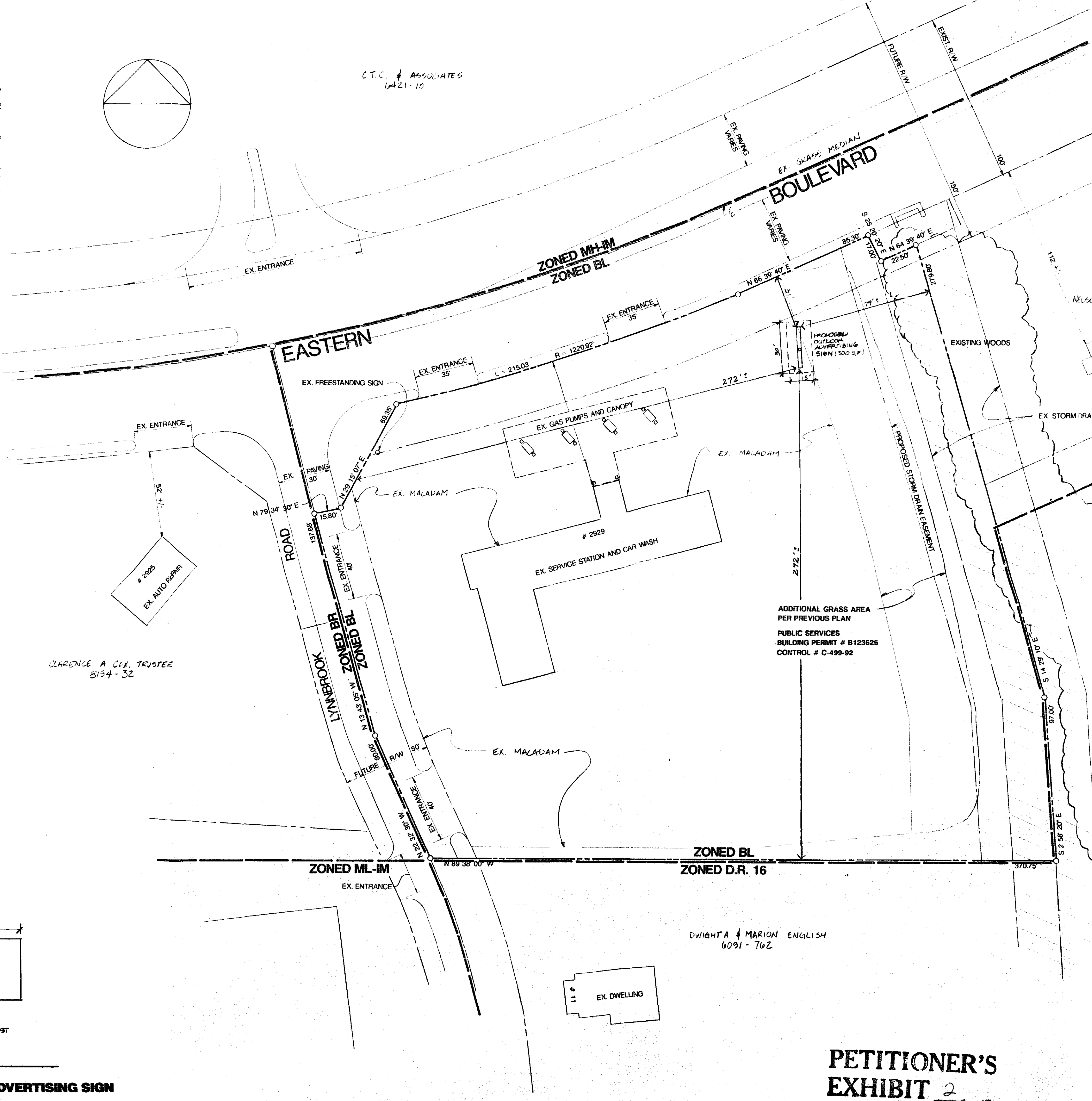
PETITIONER'S
EXHIBIT _____



— PROPERTY ACROSS THE STREET FROM
PROPOSED SIGN LOCATION —

PETITIONER'S
EXHIBIT _____

- NOTES:
1. EXISTING ZONING: BL
 2. PROPOSED ZONING: (NO CHANGE)
 3. LOT AREA: (GROSS) 3.00 AC. +/-
(NET) 2.44 AC. +/-
 4. SPECIAL EXCEPTION TO PERMIT AN OUTDOOR ADVERTISING SIGN IN A BU ZONING DISTRICT.
 5. VARIANCES: A VARIANCE IS REQUIRED TO SECTION 411.1 (B) TO PERMIT A SIGN TO BE LOCATED 31' FROM A DEED HIGHWAY IN LIEU OF THE REQUIRED 100' MINIMUM.
 6. EXISTING USE: SERVICE STATION AND CAR WASH
 7. PROPOSED USE: SERVICE STATION, CAR WASH AND OUTDOOR ADVERTISING SIGN
 8. PREVIOUS ZONING REMARKS:
CASE 82-248-SFHA (7/12/82) UNRESTRICTED TO ONE DISTRICT WITH SPECIAL EXCEPTION FOR AUTO SERVICE STATION WITH USES IN COMBINATION FORD MOTOR AND CAR WASH.
82-248-SFHA (7/12/82) AMENDMENT TO SITE PLAN TO CONSIDER ADDITIONAL CAR WASH INCLUDING:
DENIED VARIANCE TO PERMIT 3 DRIVEWAYS ALONG EASTERN BLVD. SUBJECT TO:
1) ONLY 2 ACCESS PTS. ON EASTERN BLVD.
2) COMPLIANCE WITH SECTION 405.
3) LANDSCAPING AND SCREENING APPROVAL.
 9. PREVIOUS COMMERCIAL PERMITS: NONE
 10. OWNER/PRINTER INFORMATION:
CLARENCE A. COX, TRUSTEE
252 EASTERN BOULEVARD
BALTIMORE, MARYLAND 21221
 11. DEED REFERENCE: 8194-32
 12. TAX MAP: 91, GRID: 8, PARCEL: 54
 13. PROPERTY ACCOUNT NO.: 15-151890380
 14. CENSUS TRACT: 4516
 15. ELECTION DISTRICT NO.: 15
 16. COUNTY COUNCIL DISTRICT NO.: 5
 17. SETBACK REQUIREMENTS (PROPOSED SIGN LOCATION):
REAR 100' (SEE NOTE # 14)
SIDE 20'
FRONT 20'
REAR 20'
SIDE 20'
FRONT 20'
 18. SETBACK AVERAGING COMPUTATIONS: (SECTION 401.2 BCIR)
REAR 100' (SEE NOTE # 14)
SIDE 20' (SEE NOTE # 14)
FRONT 20' (SEE NOTE # 14)
AVERAGE SETBACK 62'72" = 63'
 19. PARKING NOTES: PROPOSED SIGN LOCATION WILL NOT INTERFERE WITH ANY EXISTING PARKING SPACES, LOADING AREAS OR TRAVEL AISLES.
 20. SIGN: OUTDOOR ADVERTISING SIGN
SECTION 411.2 (BCIR)
A. TOTAL SURFACE AREA OF SIGN = 100 S.F. ON ONE SIDE.
B. THE SIGN IS LOCATED WITHIN 100' (21') OF THE RIGHT-OF-WAY OF A DEED HIGHWAY (VARIANCE REQUIRED - SEE NOTE # 4 & 5).
C. THE SIGN IS LOCATED BEHIND THE FRONT YARD SETBACK (VARIANCE).
D. THE SIGN IS NOT LOCATED WITHIN 50 FEET OF ANY STREET INTERSECTION INVOLVING A DEED HIGHWAY.
E. EXISTING USES:
- SERVICE STATION & CAR WASH 365' +/-
- RESIDENCE (2829 EASTERN BLVD.) 180' +/-
- UNDEVELOPED LAND 340' +/-
- COMMERCIAL (50 CORNER) 180' +/-
- EASTERN BLVD. & STYRON RD. 1070' +/-
- TOTAL FRONTAGE ALONG EASTERN BLVD. 545' +/-
- FRONTAGE IMPROVED WITH COMMERCIAL USES 518'
F. THERE ARE NO EXISTING OUTDOOR ADVERTISING SIGNS WITHIN 100 FEET OF THE PROPOSED SIGN LOCATION.
G. N/A
H. N/A
I. N/A
 21. UTILITIES: SITE IS SERVED BY EXISTING PUBLIC UTILITIES

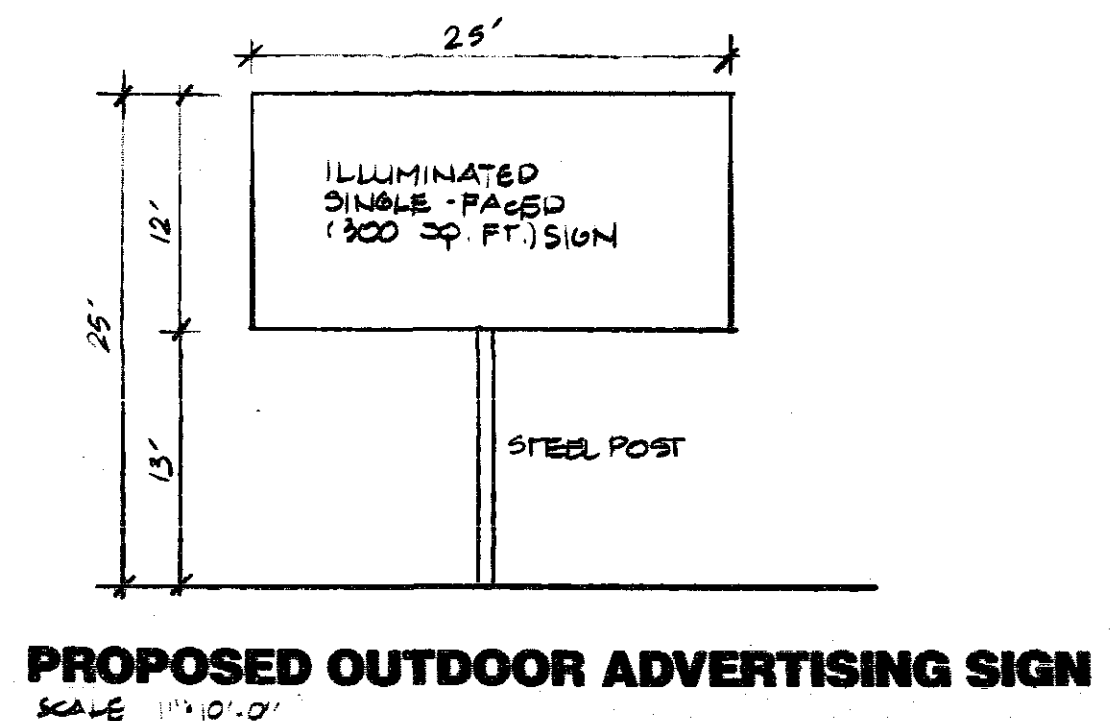


APPLICANT:
PENN ADVERTISING OF BALTIMORE, INC.
3001 NEWMINGTON AVENUE
BALTIMORE, MARYLAND 21211

DATE: AUGUST 1983
JOB NO. 82-05
SCALE: 1" = 30'

PLAT TO ACCOMPANY SPECIAL EXCEPTION
AND VARIANCE APPLICATION
2929 EASTERN BOULEVARD
BALTIMORE COUNTY, MARYLAND

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMMONS
222 BOWLEY AVENUE SUITE 8-7
BALTIMORE, MARYLAND 21204
(410) 654-9931



PROPOSED OUTDOOR ADVERTISING SIGN
SCALE 1" = 10'-0"

DWIGHTA & MARION ENGLISH
6091-762

PETITIONER'S
EXHIBIT 2

94-121-
SPHXA

